

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff

v.

[1] IVELISSE RIVERA-PADILLA,
Defendant.

CRIMINAL NO.: 23-058 (RAM)

**UNITED STATES OF AMERICA'S MOTION FOR ORDER OF FORFEITURE
AND MONEY JUDGMENT**

TO THE HONORABLE COURT:

COMES NOW, the United States of America by its undersigned counsel, and very respectfully submits:

1. On October 17, 2023, defendant [1] Ivelisse Rivera-Padilla pled guilty as to Counts One through Fourteen of the Indictment. As per agreement, defendant [1] Ivelisse Rivera-Padilla agreed to forfeit \$150,000.00 in U.S. currency. *See* ECF Nos. 81, 82, and 83.
2. Accordingly, the United States seeks the entry of an Order of Forfeiture consisting of a personal money judgment against defendant [1] Ivelisse Rivera-Padilla in the amount of \$150,000.00 in U.S. currency.
3. The entry of the Order of Forfeiture in the form of a money judgment is specifically authorized by Rule 32.2(b)(1) and (2) of the Federal Rules of Criminal Procedure. *See United States v. Hall*, 434 F.3d 42, 59 (1st Cir. 2006) (citing *United States v. Candelaria-Silva*, 166 F. 3d 19, 10 (1st Cir. 1999)) (criminal forfeiture order may take

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several forms [including] an *in personam* judgment against the defendant for the amount of money the defendant obtained as proceeds of the offense).

4. Once the Order of Forfeiture is entered, and if defendant [1] Ivelisse Rivera-Padilla fails to pay the same, the United States may move at any time, pursuant to Rule 32.2(e)(1)(B) of the Federal Rules of Criminal Procedure, to amend the Order to forfeit as substitute assets any specific properties of the defendant, having a value up to the amount of the money judgment. *See United States v. Hall*, 434 F.3d at 60.

WHEREFORE, the United States respectfully requests that this Court enter the Order of Forfeiture and Money Judgment against defendant [1] Ivelisse Rivera-Padilla, for \$150,000.00 in U.S. currency, respectively, in favor of the United States of America.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico this 12th day of December 2023.

W. STEPHEN MULDROW
United States Attorney

s/Seth A. Erbe
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same date, December 12, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/EMF system.

s/Seth A. Erbe

Seth A. Erbe
Assistant United States Attorney